

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
January 7, 2004

**I.  
Call to Order  
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Iloreta, Mandal, Mohsin, and Pham  
Alternates present were Commissioners Lind, Luna, and Ranker  
Absent: Commissioners Lee and Robinson

**II.  
Seating of  
Alternates**

Alternate seated: Ranker and Luna

**III.  
Pledge of  
Allegiance**

Commissioner Mohsin led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Abelardo

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of December 3, 2003.

M/S: Mohsin, Cook

Ayes: 9

**VI.  
Announcements**

Chair Garcia announced the appointment of alternate Commissioner Lind. Staff stated that Commissioner King's past attendance record was sent to City Council since he had discontinued attending meetings. Based on his lack of attendance his appointment has been terminated.

**VII.  
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**A. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The modulars for the temporary senior center were moved in. The official opening is scheduled for the end of February. There were discussions regarding facility fees at the City Council meeting. The fourth floor conference room has been completed. The 50<sup>th</sup> anniversary is now on the City web site. City Council appointed Al Garcia and Zeya Mohsin to the Planning Commission.

**IX.**  
**New Business**

**a. Election of Officers.**

Commissioner Mandal nominated Vice-Chair Iloreta as Chairperson. There were no other nominations.

MOTION to nominate Vice-Chair Iloreta as Chairperson.

M/S: Mandal, Abelardo Ayes: 9

Commissioner Pham nominated Commissioner Mohsin as Vice-Chair. There were no other nominations.

MOTION to nominate Commissioner Mohsin as Vice-Chair.

M/S: Pham, Mandal Ayes: 9

The Commissioners thanked Chair Garcia for his service as Chair and to the community.

**b. Personal Rapid Transit (PRT) Presentation.**

Rob Means of the Sunnyhills Neighborhood Association e-mailed the Commission and asked that the item be postponed to the next meeting due to illness.

**c. Ethics Project Draft Contract Review.**

Staff stated that there has been a lot of progress since the last meeting. There was one RFP submitted for the ethics code and training project from Dr. Shanks of Santa Clara University. The team met on December 5<sup>th</sup>, proceeded to interview Dr. Shanks and conducted reference checks. On December 16<sup>th</sup> staff contacted Dr. Shanks and began contract negotiations.

Staff noted that the scope had been revised since the CAC's review last month. The approach was changed to include an expanded group of stakeholders to provide input into the preparation of the ethics code. Training was separated into two parts, campaign ethics training to occur before the election and ethics code training to be completed after the election. A steering committee will be formed to provide assistance to the City staff project manager. Specification of a back-up consultant in the event Dr. Shanks is not able to complete the work for some unforeseen reason has been added.

MOTION to recommend to Council that a CAC member be seated on the Ethics Steering committee – Commissioner Ranker to be seated as the first CAC representative on the steering committee.

M/S: Abelardo, Mandal Ayes: 9

MOTION to recommend the revised draft ethics project scope of work be forwarded to City Council for approval.

M/S: Ranker, Mandal Ayes: 9

**d. Subcommittee/Task Force Status Reports.**

- Neighborhood Preservation (Abelardo, Lee, Mohsin, and Robinson)

- Mayor's Term Length (Garcia, Lee, Mandal, and Pham)
- 50<sup>th</sup> Year Anniversary (Mohsin, Alternate-Mandal)
- Ethics (Abelardo, Iloreta, Ranker, and Robinson)
- Tree Ordinance/Heritage Tree Program (Iloreta)
- Tree Decorating Celebration (Pham, Robinson, Cook and Abelardo)

Chair Iloreta stated that due to the CDBG workshop session this evening, the subcommittee/task force status reports would be postponed to the March CAC meeting.

**e. CDBG Workshop Session.**

Staff gave a presentation on the CDBG funding. There was a question and answer session. Note receipt and file.

**X.**

**Adjournment**

Chair Iloreta adjourned the meeting at 9:30 p.m. to the February 4, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
February 4, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreta called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Lee, Luna, Mohsin, Pham, and Ranker  
Alternates present were Commissioners Lind and Queenan  
Absent: Commissioners Fang and Mandal, and Robinson

**II.  
Seating of  
Alternates**

Alternate seated: Lind

**III.  
Pledge of  
Allegiance**

Commissioner Luna led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Lind

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of January 7, 2004.

M/S: Abelardo, Mohsin

Ayes: 9

**VI.  
Announcements**

Commissioner Lind announced the Crab Feed sponsored by the Milpitas Unified School District on March 19, 2004 at the Napredak Hall at 6:00 pm. Staff announced that Form 700 is due February 19, 2004 to the City Clerk's Office. The CDBG workbooks will be mailed to the CAC Commission on February 18, 2004. Staff introduced Dennis Carrington, Senior Planner, who will be the new staff liaison. Also, announced were the following Commission appointments: reappointment of Commissioner Mandal, Commissioner Ranker appointed to a regular position from Alternate 1 replacing the resignation of Al Garcia, Commissioner Lee appointed to a regular position from Alternate 2 replacing Guadalupe Ortiz, Jr., Commissioner Luna appointed to a regular position from Alternate 3 replacing the resignation of Sam Robinson, Commissioner Lind moved from Alternate 4 to Alternate 1, Commissioner Fang appointed to Alternate 2, and Commissioner Queenan appointed to Alternate 3.

**VII.  
Citizens' Forum**

Chair Iloreta invited members of the audience to address the Commission on any item not on the agenda.

Mayor Esteves – 825 Canada. Mayor Esteves thanked the Commission for all the work they are doing. The CAC is one of the most active Commissions in the City of Milpitas. He also welcomed the new Commissioners and new staff liaison.

## **VIII. Liaison Reports**

### **A. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The 50<sup>th</sup> Anniversary celebration was a wonderful celebration. The Mayor was presented with a golden gavel. The 50<sup>th</sup> Anniversary book is on sale for \$25.00. The Council discussed picking a site or street to honor Dr. Martin Luther King Jr., Cesar Chavez, and maybe other prominent people that represent the diversity of the City. The 50<sup>th</sup> Anniversary subcommittee is meeting at the end of March to discuss a time capsule. They are looking for any artifacts and anything historical that can be used.

## **IX. Old Business**

### **a. Personal Rapid Transit (PRT) Presentation.**

Rob Means of the Sunnyhills Neighborhood Association gave a brief presentation on the Personal Rapid Transit (PRT). He stated that PRT is a lightweight electric shuttle that is on an elevated guide way. It operates using a transit card with a magnetic strip on it. The card is inserted into a machine and when you tell it where you want to go it feeds the card back out and subtracts the amount of money for the fair and also shows the destination. The card is then inserted into another machine where the cab is at and proceeds to the designation without any stops in between. These guide ways can be run in small areas and inside buildings like hotel lobbies.

Some of the concerns people have are economics. It is affordable to build. It costs 1/3 as much as LRT, 1/10 as much as BART. It is affordable to operate and maintain. The cost to the customer is about .75 cent per ride. PRT can handle 6,000 people per hour. It's the same as 3 lanes of freeway. It moves between 25 – 50 miles per hour. PRT uses less energy and fewer resources than the other transit systems including the automobile.

Commissioner Pham asked how many people could fit in a cab. Mr. Means stated it is one person per cab. You can link several cabs together though.

## **X. New Business**

### **a. Ethics Project Review.**

Staff stated that the contract is moving along as scheduled. The stakeholder interviews will begin the week of February 9<sup>th</sup>. The interviews will run for 2 weeks. The contract has a cap of 12 interviews. Staff is suggesting having a special meeting for the CAC, possibly February 18, 2004 as one of the joint stakeholder interviews that would include the public. After the interviews, the draft survey is due. On February 24, 2004, the plan on how to prepare the code and stakeholder report will be due. The presentation of the awareness survey will go to Council on March 2, 2004. The steering committee has been assembled with Craig Ranker serving as the representative from the CAC. Staff will continue to give monthly updates.

Commissioner Pham asked what time the CAC meeting will be. Staff stated the meeting would probably be at 7:00 pm.

Councilmember Polanski stated that the week of the interviews is winter break for the school district and it might be impossible to reach some of the Commissioners. Staff suggested that they would tentatively schedule the special meeting for February 18, 2004.

MOTION to schedule a special session of the CAC for February 18, 2004 at 7:00 pm for a CAC and public stakeholder interview meeting.

M/S: Ranker, Abelardo

Ayes: 8

Noes: 1 (Lind)

**b. Mayor's Term Length (and correlation to term limit) Project.**

Staff stated that during the December 2, 2003 presentation to Council, Council made certain recommendations and asked the CAC to go back and look at some things such as considering term limits and how that might impact the CAC's recommendation regarding term length. The Council also requested the City Attorney to assist in providing a timeline in order to get this on the November 2004 ballot. Staff recommended that the CAC present their re-evaluated recommendation to City Council on April 20, 2004.

Chair Iloreta stated that the subcommittee had a meeting to discuss how to receive public input. Councilmember Polanski stated one suggestion is to have a public hearing at the April 7<sup>th</sup> CAC meeting. Another suggestion is to have a short questionnaire to ask people.

Commissioner Pham asked if the questionnaire could be put on the website that way people could mail it to the Commission. Councilmember Polanski stated it could be a possibility.

Commissioner Lind felt that the only issue is the term limits and term length. She suggested having two questions – "Do you want the Mayor's term to increase from 2 years to 4 years?" and "Do you want the term limits to be 2 terms, yes or no?"

Commissioner Queenan asked what information is needed on the survey to validate the survey. Vice-Chair Mohsin felt the survey should be kept anonymous. Commissioner Lee agreed.

Chair Iloreta stated that the public hearing on April 7<sup>th</sup>, an informal survey, and outreach to other Commissions would be an option.

Commissioner Pham suggested giving the other Commissions the questionnaire to distribute. Councilmember Polanski suggested each CAC Commissioner choose one Commission and ask the 2 questions to get a better response. Commissioner Ranker stated that people would need time to respond.

Chair Iloreta stated that the subcommittee needs to prepare the script for the Commission and schedule the public hearing for the April 7<sup>th</sup> CAC meeting.

Staff suggested that the CAC make the presentation to City Council at the second meeting in May if the hearing was not going to be until April 7<sup>th</sup>. This would give the CAC more time to discuss the input.

MOTION to accept the dates provided of April 7<sup>th</sup> for the public hearing and forward to City Council on May 18<sup>th</sup>.

M/S: Lee, Mohsin

Ayes: 9

**c. Establishing An Outgoing Chair Recognition Policy.**

Staff stated that, at the request of a CAC member, former Chair Garcia will be present at the April 7, 2004 CAC meeting to accept a certificate of appreciation for his leadership and guiding the CAC through their work plan and recommendations to the Council. Staff is recommending the Commission establish an ongoing policy to treat future Chairs in a similar manner.

Commissioner Ranker asked if there is a minimum term that the Chair has to serve in order to receive a certificate. Staff stated that policies from other Commissions are not that detailed.

MOTION to establish an outgoing chair recognition policy and prepare a certificate of appreciation for service as a chair after completion of service as chair.

M/S: Ranker, Mohsin

Ayes: 9

**d. Support of Arbor Day Proclamation and Increased Participation in Arbor Day/Earth Day event.**

Due to budget reasons, the Arbor Day event has been cut from the Recreation Division's budget. Therefore, this year Arbor Day is being combined with Earth Day on Saturday, April 17, 2004 from 10 am to 12 noon at Yellowstone Park. In the past, CAC members would volunteer to assist with the NBO booth. This year 6 trees will be planted during the 2-hour period. Three CAC volunteers are needed to help with this event. The CAC's 2004 work plan also includes facilitation of the re-certification of the City's Tree City USA designation. Staff recommends the CAC endorse the proclamation drafted by staff to be forwarded to City Council on April 6, 2004 and to secure three CAC participants in the Arbor Day/Earth Day event. Those who volunteered are: Vice-Chair Mohsin, Commissioners Lee, Ranker, and Luna.

MOTION to accept the proclamation as written.

M/S: Mohsin, Lind

Ayes: 9

**e. Subcommittee/Task Force Status Reports.**

Neighborhood Preservation (Abelardo, Lee, Mohsin, and Queenan)

Vice-Chair Mohsin requested a progress report on the list of locations given to the CAC at an earlier meeting.

Mayor's Term Length (Iloreta, Lee, Mandal, and Pham)

This item was previously discussed.

50<sup>th</sup> Year Anniversary (Lind, Mohsin, and alternate-Mandal)

This item was previously discussed.

Ethics (Abelardo, Iloreta, Luna, and Ranker)

This item was previously discussed.

Tree Ordinance/Heritage Tree Program (Iloreta, Lee, Mohsin)

Staff stated that the planned timeline is now ordinance to City Council in May. There are some issues that were overlooked in the latest ordinance that need to be addressed before CEQA and advertising can occur.

Tree Decorating Celebration (Abelardo, Cook, Luna, and Pham)

This item was not discussed.

**XI.  
Adjournment**

Chair Iloreta adjourned the meeting at 9:30 p.m. to the February 18, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
March 3, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreta called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Lee, Mandal, Mohsin, and Ranker  
Alternates present were Commissioners Fang, Lind, Luna, and Queenan  
Absent: Commissioners Cook, Pham, and Robinson

**II.  
Seating of  
Alternates**

Alternate seated: Fang, Lind, and Luna

**III.  
Pledge of  
Allegiance**

Commissioner Ranker led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Lind, Ranker

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of February 4, 2004 with the correction as stated:  
Under New Business – Ethics Project Review it was not noted that Commissioners Pham and Lind were unable to attend the February 18, 2004 special meeting. Also, the attendance sheet is in error showing them as unexcused absence for February 18<sup>th</sup> when it should be excused absence.

M/S: Mohsin, Luna

Ayes: 8  
Abstain: 1 (Mandal)

MOTION to approve the minutes of February 18, 2004.

M/S: Ranker, Luna

Ayes: 7  
Abstain: 2 (Lind,  
Mandal)

**VI.  
Announcements**

Commissioner Mohsin requested that the attendance sheet be included in the CAC packets each month.

Staff announced the Draft Action Plan was presented to the Commission for their information only – no action required.

Staff announced that a memo that was included in the Commission packet regarding Sam Robinson and the misunderstanding that he had resigned from the CAC. He has been re-instated by the City Council. Because of his re-instatement, a member from 2 subcommittees had to be removed.



Staff also announced that the attendance sheet will include the name and phone number of the person to call when a Commissioner will be absent from a meeting.

Staff stated that regarding the tree ordinance and heritage tree program there is no new progress at this time. There is an issue in the zoning code amendment regarding the definition of family with compliance or lack of compliance with the Federal law. It would be beneficial to have a motion on this tonight.

Commissioner Lind asked about the attendance policy for the CAC. Councilmember Polanski stated that after 3 unexcused absences it is referred to the City Council for removal. The maximum number of unexcused absences is 3 per calendar year. On the 4<sup>th</sup> unexcused absence a letter is sent from the Chair and staff representative and a call from the Mayor. Chair Illoreta asked if the attendance will include special meetings as well. Councilmember Polanski stated the Commission would need to discuss to ensure there is a quorum.

Staff announced the status report on the list of concerns that were mentioned at the October 1, 2003 CAC meeting. A packet was distributed to each member for review and was told that if there were any questions please call the Neighborhood Services Division.

## **VII. Citizens' Forum**

Chair Illoreta invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

## **VIII. Liaison Reports**

### **A. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The Council extended the memorandum of understanding with our Sister City in Japan. A presentation was presented from Sister City Hue Cho in China. The City has set up with assistance of a committee with community members to have a memorandum of understanding and now a Sister City relationship with Hue Cho in China. The grand opening of the annex for the Senior Center was held on Saturday, February 28, 2004. The modular buildings are now open. There were about 350 seniors in attendance for the grand opening. The Council received a letter from the Emergency Housing Consortium thanking the City of Milpitas for their leadership role in addressing the issue of youth homelessness and the \$25,000 awarded to the EHC through the CDBG funding was used to develop their new youth shelter. EHC spoke very highly of Felix Reliford and Gloria Anaya – "Felix Reliford and Gloria Anaya deserve special commendation for their efforts on the project and their commitment to affordable housing. Thank you again for your support and leadership in helping us continue to meet the needs of the homeless and at risk populations". The commendation was from the President and CEO of the Emergency Housing Consortium.

## **IX. New Business**

### **a. Review of Community Development Block Grant (CDBG) Program Applications for FY 2004-05.**

Senior Housing and Neighborhood Preservation Specialist Gloria Anaya outlined the Community Development Block Grant (CDBG) Program, explaining that the City received a total of 22 applications for funding. The City of Milpitas expects to receive \$711,000 of CDBG funds for FY 2004-05 from the Department of Housing and Urban Development (HUD).

Per Federal regulations, a maximum of 15% of the grant or \$106,650 is available to fund Public Services category. 20% of the grant or \$142,200 is set-aside for General Program Administration. The remaining 65% or \$462,150 is available to fund the Non-Public

Services. The application booklets distributed to the CAC early this month include staff funding recommendations. A revision was distributed to the CAC this evening with corrections to agency #2 – Asian American Recovery Services and #5 – Milpitas Recreational Services Afterschool Stay and Play.

A copy of the new HUD Income limits for 2004 was available for the Commission. It was noted that for the Santa Clara County medium income did not go up. It is the same as last year.

Ms. Anaya explained that each applicant would be allowed three minutes for presentations, and two minutes for questions from the Commission; after public hearing was closed, the Commissioners would be asked to allocate the available funds via the ballot process; and a recess is taken while staff enters each Commissioner's ballot allocation into a spreadsheet which would be totaled and averaged for final discussion and recommendation. The minimum funding level that was established by the CAC and City Council is \$5,000. Ms. Anaya asked that ballot allocations be at \$5,000 or above. Therefore, any of the programs that average less than \$5,000 would need to be redistributed to other organizations.

The recording secretary asked each Commissioner individually if they were currently receiving compensation from any of the application agencies and was informed by each and every Commissioner that they were not receiving compensation from any of the applicant agencies.

MOTION to open the public hearing.

M/S: Mandal, Mohsin

Ayes: 9

A representative from each of the applicant agencies present, except The O Foundation and Filipino Youth Coalition, addressed the Commission with an outline of their agency's functions and how allocated funds would be utilized.

MOTION to close the public hearing.

M/S: Mandal, Abelardo

Ayes: 9

Staff entered each Commissioner's ballot figures into the spreadsheet and presented the results to the Commission for discussion.

Commissioner Lind stated that she did not fund some agencies because the agencies were not present to advocate on their behalf.

MOTION to zero out the O-Foundation and distribute the dollars to the other agencies to make it more effect for the program.

M/S: Mandal, Ranker

Ayes: 9

MOTION to allocate the remaining \$556.00 to Milpitas Food Pantry.

M/S: Ranker, Lind

Ayes: 9

MOTION to allocate Public Service CDBG funds as follows and forward to City Council for funding:

Alum Rock Counseling Center	\$5,000
Asian American	\$5,000
Long Term Ombudsman Program	\$5,000
Catholic Charities	\$5,000
Milpitas Rec. Svcs – Afterschool Stay and Play	\$5,333
Milpitas Rec. Svcs – Camp Stay and Play	\$5,500
Milpitas Rec. Svcs – Assist. Program	\$11,297
Emergency Housing Consortium	\$5,444

Filipino American Opp. Development	\$5,000
Filipino Youth Coalition	\$5,000
India Community Center	\$5,000
Live Oak Adult Day Care	\$5,556
Milpitas Food Pantry	\$15,850
Next Door Solutions	\$5,556
Project Sentinel	*See Below
Second Harvest Food Bank	\$5,676
Senior Adults Legal Assistance	\$5,033
Support Network for Battered Women	\$6,406

**Total Public Service: \$106,650**

**\*\$15,000 coming from General Admin.**

M/S: Mandal, Luna

Ayes: 9

MOTION to allocate Non-Public Service CDBG funds as follows and forward to City Council for funding:

City of Milpitas – Interim Senior Center	\$100,000
Economic and Social Opportunities	\$80,000
Milpitas Housing Rehabilitation	\$282,150

**Total Non-Public Service: \$462,150**

M/S: Lind, Mohsin

Ayes: 9

**b. 2005 City Calendar Theme.**

Staff stated that the Recreation Department is proposing four alternate 2005 City Calendar theme suggestions and is requesting that the Commission approve a theme for the 2005 City Calendar. The four options are:

1. Milpitas Youth
2. Milpitas At Its Best
3. Local Parks
4. A Day in the Life of Milpitas

MOTION to select Option #2 – Milpitas At Its Best for the 2005 City Calendar.

M/S: Ranker, Abelardo

Ayes: 9

**c. Ethics Project Survey, Steering Committee Membership and Code Preparation Workshops.**

Commissioner Ranker gave a brief update on the Ethics Project. He explained that it has been very educational and the steering committee has made tremendous progress. The three deliverables that Dr. Shanks has been working on as well as staff are: a stakeholder report, a recommended plan for development of the ethics code and a draft awareness survey. There have been 24 one-on-one interviews. One meeting has been held where the public was invited to the CAC meeting. There are a few more meetings needed to receive more input from the public. The suggested dates are Wednesday, March 31<sup>st</sup> (Special meeting), Wednesday, April 7<sup>th</sup> (regular CAC meeting), Thursday, April 22<sup>nd</sup> (Special meeting), and Wednesday, May 5<sup>th</sup> (regular CAC meeting). There is a need to have a quorum in order to hold these meetings. Commissioner Lind stated that she could attend the March 31<sup>st</sup> and April 7<sup>th</sup> meetings but will be out of town on April 22<sup>nd</sup>. Commissioner Mandal also stated that he could attend the March 31<sup>st</sup> meeting but will be unable to attend the April 22<sup>nd</sup> meeting. Commissioner Mandal asked how long the meetings would last. Staff stated that they target the meetings to be two hours each.

Commissioner Ranker stated that another pressing need is that for the steering committee meeting with City staff he is the only representative for the CAC and there has been a request for two more members from the CAC to participate to increase the public participation. The two additional members are: Chair Iloreta and Commissioner Abelardo.

Commissioner Ranker continued to state that the next largest thing happening at the moment is the survey. The steering committee is in the process of reviewing the survey prior to Council consideration on March 2, 2004. Through consultation with Dr. Shanks, the steering committee has determined that requests to complete the on-line survey will be mailed the week ending March 6<sup>th</sup> to a random sample of Milpitas households to ensure statistical validity.

## **X. Old Business**

### **a. Presentation and review of proposed Zoning Code Amendments regarding the definitions of Family, Single Housekeeping Unit, Single Family Dwelling, Rooming and Boarding Houses and Kitchen and requiring public parking.**

Staff stated that they are proposing zoning text changes to address overcrowding, parking, and the requirements of Federal and State laws. One of the proposed solutions is to revise the definition of "Family" to remove the number of unrelated persons that could occupy a dwelling. Define a single housekeeping unit as the functional equivalent of a traditional family. Limit the number of kitchens to one per dwelling. Eliminate references to lodging houses and rooming houses. Modify the boarding house conditional use to be for 3 or more persons and to modify the definition of boarding house to include bed and breakfasts as an example.

Commissioner Queenan asked, if we are speaking about a single family dwelling under the new definition, where does how rooms are rented in a home fit into it. Staff stated that they cannot limit the number of rooms rented but they can say they cannot have any lockable rooms or cabinets in the kitchen. Commissioner Queenan feels that the code isn't any different than it is now. Staff stated the City is constrained by the law.

Commissioner Queenan feels that currently staff cannot go into a home by these definitions and do much of anything. Staff stated that if they have reason to believe that there is a violation they can enter the premises to inspect.

Commissioner Mandal asked if there is any process in correlation of number of cars that can be parked in front of a house. Staff stated that you can not require a greater number of parking spaces for a single family home than we already do, very traditional. Unless it is a second family unit, then you are allowed to require more parking spaces as required of all cities and counties in the state.

Commissioner Queenan asked the difference between rooming boarding house and a property that has multiple granny flats in the backyard. Staff stated that there is a limit of one granny flat per lot.

Commissioner Mohsin asked if there is a new ordinance for garage conversions. Staff stated the City allows two parking spaces on site, and is proposing a text agreement to require that one must be covered. Many local cities are dealing with this by requiring that there be two covered parking spaces. Staff stated that someone could covert one of the parking spaces under the new language.

Commissioner Queenan is concerned that it would be easy to apply for a permit without anyone going out to inspect. Staff stated that they would need a building permit. Commissioner Queenan also feels there is a loophole in the front yard paving regulations.

Commissioner Mohsin is concerned with safety. He feels the garage is for parking of cars only.

Chair Iloreta stated that one of the concerns is the definition of covered parking spaces. Commissioner Mohsin stated that if a garage is converted there would be more cars on the street and more parking problems. He feels there shouldn't be any garage conversions allowed.

Commissioner Ranker is concerned with the wording of "covered" spaces. He feels it should be dropped from the ordinance.

Commissioner Mandal suggested having the Commission review the language when it is being drafted or help with the process.

MOTION to authorize the subcommittee to review the zoning code amendments and forward their findings to the Planning Commission and City Council for adoption.

M/S: Lind, Mandal

Ayes: 9

**b. Subcommittee/Task Force Status Reports**

Due to the CDBG funding, these items would be discussed at a future meeting.

**XI.**

**Adjournment**

Chair Iloreta adjourned the meeting at 11:30 p.m. to the March 31, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
April 7, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 6:53 p.m. A quorum of Commissioners Lind, Luna, Lee and Mandal were present.  
Commissioners Abelardo, Cook, Ranker and alternate Fang arrived at 7:00 p.m.  
Absent: Commissioners Mohsin, Pham, Queenan, and Robinson

**II.  
Seating of  
Alternates**

Alternates seated: Luna and Lind

**III.  
Pledge of  
Allegiance**

Commissioner Lee led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mandal, Luna

Ayes: 5

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of March 31, 2004.

M/S: Lind, Luna

Ayes: 5

**VI.  
Announcements**

There were no announcements made.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**A. City Council**

Councilmember Polanski was not present at the meeting.

**IX.  
New Business**

**a. Subcommittee/Task Force Status Reports**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Robinson)  
Staff report that the City Council voted to accept the definition of family, but requested more understanding of the Planning Commission's decision on the garage conversion

issue and wanted this issue to come back after parking was looked at more carefully as they did not believe that disallowing garage conversions solved the parking complaints.

Mayor's Term Length (Mohsin, Lee, Mandal, and Pham)

The Mayor's Term Length was the topic of the public hearing held this evening, therefore it was not discussed at this point in the agenda.

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

Commissioner Lind stated the City would not be having a parade this year for the 4<sup>th</sup> of July. The holiday is on Sunday and would conflict with the church services that take place on Main St. and after City staff interviewed several merchants and churches, they asked the City to please not tie up their streets and create huge traffic jams. Staff is looking into perhaps having a community picnic, which was held in the past, which will be recommended to the City Recreation Division and the City Council.

Ethics (Abelardo, Lind, Ranker, and Robinson)

The second workshop was held later in the agenda, therefore this was not discussed at this point.

Tree Ordinance/Heritage Tree Program (Iloreta, Lee and Cook)

The subcommittee noted no new status.

Tree Decorating Celebration (Abelardo, Cook, Pham, Robinson)

No new status was noted since this December event is not yet in the planning stages.

**b. Ethics Code Preparation Workshop #2.**

Staff introduced themselves and thanked everyone who attended the first workshop and had returned to Workshop #2 to help write the city's ethics code. To get a sense of the various groups represented by those in attendance, staff identified department senior staff, the city manager, assistant city manager, boards and commissioners and two members of the public (see attached sheet listing all those in attendance) after which participants were asked to turn to the person sitting next to them and introduce themselves. Staff then introduced Dr. Shanks, the city's ethics consultant and Dr. Philip Riley, also hired by the city to assist with the code preparation workshops. Dr. Shanks then thanked staff for the work they have done thus far to keep this project moving. Dr. Shanks proceeded with a warm-up/ice breaker exercise where participants were asked a series of ethics-related questions.

Results of the previous workshop (Workshop #1 held 3/31/04) were reviewed that involved Dr. Shanks taking the list of values developed at the first workshop and combining related ones into a list of 8. After much discussion from participants, there was consensus to further collapse the list into 6 core values, which are reflected on the attached "Draft Core Values to Include in Code of Ethics". Dr. Shanks then presented a real world ethical situation and asked the participants whether the list of 6 core values was comprehensive enough to guide someone faced with this real world ethical situation. It was agreed that the list of 6 core values did.

Participants were then broken into 6 work groups, each working on one of the 6 values. Each group was asked to complete a worksheet called, "Translating Values into Code of Conduct" to develop a description of the core value, descriptors (related values) and role model behaviors and bad behaviors for their assigned core value. The results of each groups work are reflected in the 6 attached worksheets. A representative from each group was asked to present their group's work for the benefit of all participants. Dr. Shanks concluded the workshop with a preview of the work to be done at the next workshop to be held on Thursday, April 22, 2004.

**X.  
Public Hearing**

**a. Mayor's Term Length and Term Limit.**

Staff stated that at the December 2, 2003 City Council meeting, the Council requested the CAC to re-evaluate the recommendation to increase the term length from 2 years to 4 years after studying the relationship to term limits and seeking public input to determine whether there is enough support to go forward with the November 2004 election ballot question.

Karen Serpa, Unincorporated area – Ms. Serpa stated that she feels the Mayor's term should remain as a 2-year term. It places on the Mayor accountability to the residents of Milpitas. She stated the City of Milpitas has much to say about what we can and cannot do. Therefore, all citizens, need to be part of the process of making decisions. She personally believes in a collaborative effort. She wants the facts to be known regarding her and Supervisor McHugh's interviews by the CAC about their position on this issue. She reminded everyone that she and Supervisor McHugh were misrepresented at the time as being in favor of a 4-year term limit.

Chair Iloreta read an excerpt from the attached letter from Commissioner Mareile-Angy Ogle (Arts Commission) who is very concerned about the 2-year term of Mayor.

Ed Connor, 1515 N. Milpitas Blvd. – Mr. Connor stated that the state voted for a 2-year term. He discussed how things in Milpitas have changed over the years, but asserted that his opinion is that 2 years is appropriate.

MOTION to close the public hearing.

M/S: Mandal, Abelardo

Ayes: 5

Chair Iloreta stated that the subcommittee would consider tonight's public comments and would make their final report at the May 5, 2004 CAC meeting for action on forwarding a recommendation to City Council at their May 18, 2004 meeting.

Chair Iloreta stated that the next special CAC meeting would be held on April 22, 2004 at 6:45 pm.

**XI.  
Adjournment**

Chair Iloreta adjourned the meeting at 9:30 p.m. to the April 22, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary



CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
May 5, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 6:45 p.m. Present were Commissioners Abelardo, Cook, Lee, Mandal, Mohsin (6:50 pm), and Ranker  
Alternates present were Commissioners Fang, Lind, Luna, and Queenan (7:28 pm)  
Absent: Commissioners Pham and Robinson

**II.  
Seating of  
Alternates**

Alternates seated: Luna, Lind, and Fang

**III.  
Pledge of  
Allegiance**

Commissioner Lee led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Cook, Lind

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of April 22, 2004 with the following corrections:  
Commissioner Mandal and Pham were not mentioned as not being present;  
Commissioner Ranker was the one who led the Pledge of Allegiance.

M/S: Ranker, Abelardo

Ayes: 7

Abstain: 2 (Lind,  
Mandal)

**VI.  
Announcements**

Staff announced that the recognition of former Chair Al Garcia would be at the June meeting and there would be discussion of the Neighborhood Night Out at the June meeting. Commissioner Mandal notified the Commission that he would not be at the June CAC meeting.

Chair Iloreto stated that he received a lot of input at the Global Village event in regards to the Mayor's term length survey.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

## **VIII.**

### **Liaison Reports**

#### **a. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked Commissioner Ranker for being at the City Council meeting and announcing the Ethics workshop that was going to be held this evening. The City Council approved Shapell's development at the Town Center that will include, Safeway, 65 homes - 25% of which will be affordable housing. The water/sewer rates were raised. The Council also implemented a penalty charge for people who pay late. The Council approved the proposal to prepare a Milpitas newsletter, and the first publication will be in July. The City has contracted with BFI to do street sweeping in about a month. There will be no charge until 2007. This will save the City approximately \$225,000 annually for those years from the general fund. Commissioner Abelardo asked if there is a policy of what would be in the newsletter. Councilmember Polanski stated that there would be nothing political and no advertising in the newsletter. The newsletter will be published four times a year and up to 12 pages in length. The City Council approved the CDBG recommendations from the CAC Commission. The Council approved a letter to be sent to BART about the concerns, issues and recommendations regarding the stations coming to Milpitas.

## **IX.**

### **New Business**

#### **a. Subcommittee/Task Force Status Reports**

Chair Iloreta stated there would be no action other than the Mayor's Term Length and selecting a special meeting date for the Ethics code implementation plan, which will be discussed after the Ethics workshop.

#### **b. Ethics Code Preparation Workshop #4.**

Staff thanked everyone who attended any of the previous workshops and had returned to Workshop #4 to help write the city's ethics code and thanked all newcomers to the process. To get a sense of the various groups represented by those in attendance, staff identified department senior staff, the city manager, assistant city manager, boards and commissioners and two members of the public (see attached sheet listing those in attendance) after which participants were asked to turn to the person sitting next to them and introduce themselves. Staff then introduced Dr. Shanks, the city's ethics consultant and Dr. Philip Riley, also hired by the city to assist with the code preparation workshops. Dr. Shanks then thanked staff for the work they have done thus far to keep this project moving. Dr. Shanks proceeded with a warm-up/ice breaker exercise where participants were asked a series of ethics-related questions.

Dr. Shanks reviewed the draft code pieces from the previous workshop (Workshop #3 held 4/22/04) that he had edited to relate it to the state code. After much discussion, the group reached consensus and made the changes reflected on the attached version of the code.

Participants were then broken into 6 work groups, each working on one of the 6 values of code. Each group was asked to complete a worksheet called, "Milpitas Code of Ethics and Behavioral Standards" to review the draft behavioral standard for campaign candidates to clarify how the draft code applies to candidates. A representative from each group was asked to present their group's work for the benefit of all participants. Dr. Shanks asked for a consensus as to whether all participants could accept the version of the behaviors prepared by the work groups (attached) consensus was reached.

Dr. Shanks then facilitated a discussion of accountability system options. Feedback from participants generated the attached list of options for consideration to include in the

consultant's implementation plan that will be reviewed by the Council on June 1, 2004 along with the draft code.

Dr. Shanks stated that a certificate of appreciation would be presented to all participants at a future City Council meeting. Staff provided information about next steps and the workshop was concluded with a group photo.

**c. Mayor's Term Length and Term Limit.**

Commissioner Lee presented the attached proposed PowerPoint Council presentation of the subcommittee's recommendation. He stated that the purpose of the subcommittee was to evaluate changing the Mayor's term length from 2 years to 4 years. The process included research from other communities, public input and 4 interviews. Commissioner Lee stated that the pros to the change were: continuity in office, continuity in regional groups, and campaigning reduced. The cons against this were accountability. Therefore, the subcommittee recommends increasing the Mayor's term length from 2 years to 4 years.

Commissioner Lee stated that the City Council requested further research be done on the following items:

1. Public input regarding a change to the Mayor's term Length
2. Specific wording on what to place on the ballot
3. The correlation between term length change and current term limits for existing Mayor and Council Members

Commissioner Lee stated the subcommittee surveyed to other Commissioners, citizens at the Public Library, attendees at CAC meetings, Ethics Forum, and community events, Milpitas Lions Club members, church members, friends and neighbors. The total surveys taken were 92. A total of 77 (84%) were in favor of extending the Mayor term to 4 years and 15 (16%) were against extending the Mayor term to 4 years. A total of 69 (75%) were in favor of limiting the Mayor's term to two consecutive 4-year terms; 8 (9%) were against limiting the Mayor's term to two consecutive 4-year terms; and 15 (16%) were undecided. A CAC public hearing was held on April 7, 2004 to get input from the community. Commissioner Lee read the specific wording that would be placed on the ballot. Commissioner Lee stated that if the vote were approved by the citizens of Milpitas, the new Mayor's 4-year term would begin in 2008. He stated the subcommittee's final thought was to let the people decide whether to change the Mayor's term length.

After discussion among the CAC members, the consensus was to clarify that ballot question state 3, consecutive 2 year terms and 2, consecutive 4 year terms and that "If you voted, Yes to ballot question #1" be added to ballot question 2.

MOTION to approve the subcommittee's presentation with changes as specified above and move the years from left to right on the timing chart (slide 8) for forwarding to the City Council.

M/S: Mandal, Abelardo

Ayes: 9

Commissioner Lee was designated as the presenter for the May 18<sup>th</sup> Council meeting.

**d. Set special meeting date to review draft Ethics Code Implementation Plan.**

Staff stated that in order to keep on track with the June 1<sup>st</sup> Council adoption date of the Ethics code and behaviors and implementation plan, a special meeting needed to be held by the CAC. Staff is recommending Monday 17, 2004 at 7:00 as a special meeting of the CAC to review the draft Ethics Code Implementation Plan to present to the City Council at their June 1, 2004 meeting.

MOTION to have a special meeting on May 17, 2004 at 7:00 pm to consider and review the draft Ethics Code Implementation Plan.

M/S: Ranker, Mohsin

Ayes: 9

Commissioner Lind requested the CAC get the packet ahead of time to review.

**X.**

**Adjournment**

Chair Ilorete adjourned the meeting at 10:00 p.m. to the May 17, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
June 2, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Lee, Mohsin, Pham, and Ranker  
Alternates present were Commissioners Fang, Lind, and Luna  
Absent: Commissioners Cook, Mandal, Queenan, and Robinson

**II.  
Seating of  
Alternates**

Alternates seated: Luna, Lind, and Fang

**III.  
Pledge of  
Allegiance**

Commissioner Mohsin led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda with the following correction:  
Under Item X-A.5 omit section of paragraph starting with "Work on the Neighborhood Preservation Subcommittee..."

M/S: Lind, Luna

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of May 17, 2004.

M/S: Lind, Mohsin

Ayes: 9

**VI.  
Announcements**

Staff announced that the July 4<sup>th</sup> parade would be cancelled. There will be a 4<sup>th</sup> of July pool party from 1:00 – 5:00 pm, concert at 6:00 pm, and fireworks at 9:30 pm at the Milpitas Sports Center. There will be no CAC meeting in July. The Commissioners Recognition event will be held Friday, July 23, 2004 at 6:30 pm at the Milpitas Community Center.

Commissioner Luna announced the Annual Filipino Multi-Cultural Fiesta on Saturday, June 5, 2004 from 2:00 pm – midnight at the Milpitas Community Center.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**a. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked Commissioner Lee on

presenting the Mayor's Term Length report. Staff, Tambri Heyden, gave a great presentation on behalf of the Ethics Steering Committee and CAC. City Council directed staff on the Mayor's Term Length by letting the people decide. The City Council approved the 14-point Implementation Plan for the Ethics Project discussion. Council approved the City's budget. The Tree USA flag will be flown at the Public Works building in honor of the greening of Milpitas award that the City received from the National Arbor Foundation.

#### **IX. Presentation of Certificate of Appreciation to former CAC Chair, Al Garcia.**

Chair Illoreta presented Al Garcia with a certificate of appreciation for his two years as the CAC chair. Chair Garcia thanked the Commission, City Council, and staff for their support. A 10-minute recess was called to allow Commissioners to personally thank Mr. Garcia and enjoy some light refreshments.

#### **X. New Business**

##### **a. 2004 CAC Work Plan Progress.**

Staff stated that the following items are still outstanding on the 2004 Work Plan:

1. Neighborhood Night Out and Watch
2. Town Hall Meeting
3. Associations Meeting
4. Thank You Activity/Recognition for City Staff (long term goal/project)
5. Youth Involvement in Government (long term goal/project)
6. Participation in City's July 4<sup>th</sup> parade

##### Neighborhood Night Out and Watch

Staff stated this task is to determine whether the CAC should continue hosting these August events, its level of participation in the events, and the dates of the events. This year Neighborhood Night Out is August 3<sup>rd</sup>, which falls on a City Council meeting night. A suggested date for this year is August 10<sup>th</sup>, which is acceptable to Police and Fire personnel.

Commissioner Pham stated that she hosted a National Neighborhood Night Out on a weekend that turned out great. Commissioner Lee asked how she promoted the event. Commissioner Pham stated that she made flyers and with five volunteers handed them out door to door in her neighborhood.

Commissioner Mohsin asked the cost of the information packet. Staff stated that they need to decide if the Commission wanted to put one together first before a price could be given. Commissioner Pham stated that an ad was placed in the *Milpitas Post*. Chair Illoreta stated that there was a packet from last year. Councilmember Polanski feels that it would be more beneficial for the CAC to recommend an official night out to the City Council and also declare a week or two for Neighborhood Night Outs. Then they could put the information on the website, send emails to the other Commission Chairs, and send letters to the residents of Milpitas. Commissioner Lind stated that it would be more effective if the event would all be on one night.

MOTION to recommend to City Council August 5, 2004 as National Neighborhood Night Out.

M/S: Lee, Lind

Ayes: 9

Staff stated if the CAC is interested in this event, there needs to be a lead from CAC selected to work on this project. Councilmember Polanski stated that the notice needs to be approved by Council. Commissioner Pham and Councilmember Polanski said they would write the notice and after the Council approves, they would give the notice to staff

for posting. Commissioner Lind suggested giving out the fliers at the Commissioners Dinner on July 23<sup>rd</sup>.

#### Town Hall Meeting

Staff stated that this work plan task is to decide whether to continue hosting the October event and whether a different forum would be better since there was only a slight increase in attendance last year. A suggestion was made that instead of holding a meeting, maybe the forum could be changed to a designated airtime when a live presentation could be given and citizens could call in with comments and questions.

Commissioner Mohsin suggested holding a candidates forum in order to get more citizens to attend. Councilmember Polanski stated that it would be best if the CAC stayed neutral and didn't hold a candidates forum. She stated that would be unethical. Councilmember Polanski suggested that the CAC hold a live call in and having it in the Council Chambers in January.

Commissioner Ranker stated that Dr. Shanks would have a different agenda than the community would want. He feels the town hall meeting should have different topics.

Councilmember Polanski suggested combining the town hall meeting and the post election ethics candidate meeting and have it in the Council Chambers. She also stated having the meeting in November after the election. Staff suggested coming back to the Commission in August with dates for a post election assessment meeting in November that will serve as the CAC's and details of how this would take place.

MOTION to consider an interactive town hall meeting combined with the post election ethics meeting facilitated by Dr. Shanks.

M/S: Ranker, Pham

Ayes: 6  
Noes: 2 (Fang,  
Lind)  
Abstain: 1 (Luna)

Commissioner Ranker expressed concern that the topics would steer off of the ethics meeting.

#### Associations Meeting

Staff stated that this task is to discuss developing an outreach program to neighborhood associations to obtain feedback on community issues. Staff also stated that one suggestion would be to carry this task over to next year. Commissioner Pham suggested having the president from the association come to the CAC meeting to discuss concerns. Chair Illoreta asked staff if there was a list of H.O.A. Staff stated that they do not have a comprehensive list of associations. Commissioner Lind feels that there is no time to fit this task in for this year. Commissioner Mohsin agreed.

MOTION to move this task to next year.

M/S: Mohsin, Abelardo

Ayes: 9

#### Thank You Activity/Recognition for City Staff (long term goal/project)

Staff stated there would be an employee service awards luncheon on September 28, 2004. Staff stated that the CAC could serve on one of the committees or serve food at the luncheon. Commissioner Abelardo feels the CAC should participate.

MOTION to participate at the Employee Service Awards Luncheon on September 28, 2004 by serving food.

M/S: Lind, Luna

Ayes: 9

#### Youth Involvement in Government (long term goal/project)

Staff stated that the purpose of this task is to discuss developing a process to get youth involved in local government. A suggestion in the past was to initiate a youth representative on the CAC. Commissioner Lee thought there was a youth commission

for the City of Milpitas. Commissioner Lind stated that there is a Youth Advisory Commission for the City of Milpitas. Commissioner Ranker asked if there was any thought in getting a student to volunteer so that they would get school credit for participating. Commissioner Lind stated there are advanced placement tests. Students are sent to various meetings and events in the community. There are campus clubs. She stated the CAC might consider having a liaison from the Youth Advisory Commission sit on the CAC meeting. Councilmember Polanski suggested that the CAC could invite a student from the Youth Advisory to come and serve as a liaison. Commissioner Ranker recommended that Chair Iloreta speak to the Chair of the Youth Advisory Commission to discuss the matter further in September. The consensus was unanimous.

Participation in City's July 4<sup>th</sup> parade

Staff stated this task was previously discussed.

**b. Commissioner's Handbook.**

Staff stated that the City Clerk, Gail Blalock, would be preparing a Commissioner's handbook by the end of summer. She is seeking input from the various Commissions and Council about the kind of things that might be helpful in a Commissions Handbook. Commissioner Lind suggested adding information about the Roberts Rules of Order, specifically on how to run a meeting and make a motion. Councilmember Polanski suggested attaching the CDBG funding guidelines. Councilmember Polanski also suggested relaying any ideas to the City Clerk by June 15<sup>th</sup>.

**c. Subcommittee/Task Force Status Reports.**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

Staff stated there would be more changes to the zoning ordinance in the future. Councilmember Polanski gave the Commission a letter from an anonymous homeowner with concerns regarding garage conversions and parking. Staff stated that the subcommittee needs to get this task moving and revisit the direction to go. Commissioner Pham suggested having Commissioner Queenan be chair on this task force.

Commissioner Mohsin asked what actions have been taken on the list of violations they identified with staff on their field trip. Staff stated that they would provide the CAC with an update on the list at the next CAC meeting.

Chair Iloreta stated that the subcommittee for this task needed to be looked at. Commissioner Luna asked if the Commission could replace a member from the subcommittee. Councilmember Polanski stated that they could remove a member if the Commission feels that person is not attending.

Staff suggested that this subcommittee meet prior to the next CAC meeting and notify staff of their meeting date so that a staff member can attend to provide technical expertise to addressing garage conversion and parking.

MOTION to remove Commissioner Robinson from the subcommittee and replace him with Commissioner Luna.

M/S: Lind, Mohsin

Ayes: 9

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

Commissioner Mohsin stated at the May 19<sup>th</sup> meeting, the subcommittee is seeking suggestions on ideas for the time capsule book. Any ideas could be sent to Cindy Maxwell or staff at City Hall. The subcommittee is also seeking volunteers for future events. The 50<sup>th</sup> anniversary book will be sold at the Milpitas Art & Wine Festival on August 21<sup>st</sup> and 22<sup>nd</sup>. The book will be sold for \$25.00.

Ethics (Abelardo, Lind, Ranker)

Commissioner Ranker stated the only issue right now is to remove Commissioner Robinson from the subcommittee.



MOTION to remove Commissioner Robinson from the subcommittee.

M/S: Lind, Fang

Ayes: 9

Tree Ordinance/Heritage Tree Program (Iloreta, Lee and Cook)

Staff suggested taking this task off the list since the CAC's work on it is done. Some progress has been made by staff to incorporate the CAC's work. Staff initiated amendments to the same ordinance. Carol Randisi, Public Works, has prepared another set of revisions to address comments from staff.

Tree Decorating Celebration (Pham, Robinson, Cook and Abelardo)

It was suggested to address this task in November.

**d. Pictures of new CAC alternate members.**

Pictures of the new members were taken for the City's website.

**XI.**

**Adjournment**

Chair Iloreta adjourned the meeting at 9:15 p.m. to the August 4, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
August 4, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo (7:08 pm), Lee, Mohsin, and Ranker  
Alternates present were Commissioners Fang (7:08 pm), Lind, Luna, and Queenan  
Absent: Commissioners Cook, Mandal, Pham, and Robinson

**II.  
Seating of  
Alternates**

Alternates seated: Luna, Lind, and Queenan

**III.  
Pledge of  
Allegiance**

Commissioner Luna led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted

M/S: Mohsin, Lind

Ayes: 7

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of June 2, 2004.

M/S: Lind, Luna

Ayes: 7

**VI.  
Announcements**

Staff announced that they are working on revisions to the sign ordinance. The December CAC meeting will be held on Thursday, December 2, 2004. A listing of the National Night-Out was distributed to the Commission. The Mayor's Term Length issue was tabled indefinitely by the City Council and will not be on the November ballot.

Commissioner Queenan asked if the Council did not come to a vote on the Mayor's Term Length or did Council decide not to vote on it. Staff stated the Council did not come to a consensus and felt the wording was too complicated for a voter to understand.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**a. City Council**

Councilmember Polanski notified staff that she would not be present at the meeting in order to attend a neighborhood night out.

**IX.**  
**New Business**

**a. Selection of NBO Annual Awards Subcommittee.**

Staff gave a brief background of the Neighborhood Beautification Awards Program, which was established in 2000 to recognize and reward City of Milpitas residents, property owners, and neighborhoods and community groups for improvements and maintenance of their properties or neighborhoods within public view. Staff is recommending the Commission select three volunteers to review this year's applications, tour the nominated sites the week of September 13, 2004 and make recommendations to the entire Commission at their October 6, 2004 meeting. The three volunteers serving on this year's subcommittee are: Commissioners Queenan, Mohsin, and Abelardo.

**b. Neighborhood Preservation Subcommittee tour code violations status report.**

Staff stated that a report was included in the CAC packets from Code Enforcement and that all the violations were taken care of. Commissioner Lind asked if Code Enforcement would tour Yosemite where she lives.

Commissioner Queenan stated he and Commissioner Lee met with Gloria Anaya, Code Enforcement, and some of the ideas that were mentioned were to marry the Neighborhood Watch program somehow with the Neighborhood Beautification program. The idea would be to use the Neighborhood Watch captain as a way to call in on violations in that location. It would enhance the beautification process and also would give the City an involvement with the Neighborhood Watch officers.

Commissioner Queenan also stated that staff would gather information from other Cities on the street sweeping program. He suggested posting signs and citing if you are parked on the street on street sweeping days. Commissioner Abelardo stated he presented this idea two years ago and was told it was too costly.

Commissioner Queenan suggested having Neighborhood Watch throughout the City. He feels we need volunteers to monitor streets for violations. He also suggested using the quarterly newsletter to educate the public on the Neighborhood Beautification program.

Commissioner Queenan also stated that another issue that was brought up was the issue of parking limiting the number of vehicles per home. Staff is to gather information from two other cities that have a related requirement.

Commissioner Mohsin asked how the violations on the list of complaints that were generated from the tour that was done in October on Main/Abel Streets were closed. Staff is to report back to the Commission at their October meeting.

Commissioner Queenan stated that another idea is focusing on pilot areas that have a particular type of violation, such as vehicles, and work on those areas.

Staff asked for confirmation that the subcommittee's main issues were ineffective street sweeping due to parked cars, violations not being addressed unless reported by residents and lack of resident awareness of Neighborhood Beautification ordinance. Commissioner Queenan confirmed. Ms Heyden advised that street sweeping was brought up last year as a way to indirectly address overflow parking from high occupancy homes, by requiring cars to be frequently moved to discourage long term street parking. Ms Heyden also advised the Commission that her department presented a proposal in May to Council to expand Code Enforcement to move away a complaint driven approach by making administration changes and using other department field personnel to help spot violations on a regular basis, in zones that would be designated City wide, and by starting limited weekend enforcement by reassigned designated Lend-A-Tool program staff if volunteers for the program could be found. There will be

amendments to the NBO, Zoning and Sign Ordinances, which will be brought to the Commission at their September meeting for input at the Council's request. The amendments are to reduce time frame for addressing certain violations, providing administration citation powers to signs and providing permitting for temporary signs.

**c. Ethics Project.**

Staff thanked the Steering Committee members from the CAC (Commissioners Abelardo, Lind, and Ranker) for their time and efforts on this committee. The code was adopted on June 1, 2004 and staff quickly turned around an amendment to Dr. Shanks' contract to prepare all of the implementation measures. Those implementation measures are supposed to be completed by the end of this year.

The first deliverable is the ethics complaint process. The goal is to have the ethics complaint process in place by October. First reading of the complaint process ordinance was read at the City Council meeting on August 3, 2004. Dr. Shanks is working on a short list of evaluators that will be recommended to the City Council to be hired. The plan is to have the contract go to City Council on September 21, 2004. The program should be in place by October, which will allow time for this process to be used before the election. The process is that an ethics code complaint against a City Council member, Commissioner and/or Council candidate and submitted on the prescribed form to the City Clerk will be forwarded to the Lead Evaluator. There will be a panel of 3 evaluators and one rotating alternate. The lead evaluator will review the complaint for completeness. The acceptance determination will be made by the end of the next business day. If accepted the evaluator will call a meeting of the Panel for a date within 3 business days following the receipt of the complaint. There will be a 24-hour notice given to the violator. Notification will be either by fax, email or phone. The panel will determine if a violation has occurred. Within 2-business days of the meeting, the City will post on the web site the decision of the panel. If a violation has occurred, the violator will be required to cease and desist the violation and/or apologize and the decision shall be the basis for public criticism, in addition to possible, recommended further action by the City Council. The term length of the lead evaluator is 4 years and evaluator shall not live, vote, or have a business in the City, nor can the evaluator be employed by the City or serve as a City consultant. The lead evaluator can delegate his duties to another evaluator in his absence. In June of every year, the panel will prepare a report to the CAC with recommended changes to the code or process. The ethics complaint process was approved on first reading by City Council by a 4 to 1 vote.

Ethics training sessions began on July 29<sup>th</sup> with the City Council. Another Council training will be done in 60 days. Senior Staff training has been set for September 29<sup>th</sup>. Commissioner training is October 7, 2004 with an alternative date of October 20<sup>th</sup>.

An open government ordinance was approved by City Council. That ordinance contains requirements for a lobbyist registry and references the City's Ethics Code amendments will be made in December.

Implementation Measure 5 was seeking partners to hold candidates accountable. Two types of partners were proposed – endorsing partners and community partners. A draft form of the agreement was included in the CAC packet. Commissioner Lind had a question on the form regarding 501C-3 non-profits. She is requesting the form add 501C-3 to prove an organization is a non-profit organization.

The next implementation measure under review is the debate/forum. This debate/forum is different from the annual Chamber of Commerce debate. The tentative date for the debate/forum is scheduled for Sunday, October 31, 2004, which is likely to change, if held.

At the last CAC meeting the issue was brought up about combining the Town Hall meeting with the post election assessment meeting. The annual Town Hall meeting will be Tuesday, November 30, 2004. The meeting will be publicized in the newsletter.

The last implementation measure is the Public Information Campaign. Ethics First and Measure Up are the two slogans considered. The ethics campaign applies to how the City provides to community services and not only to voting. The Commission consensus was Measure Up was preferred. Staff recommends the Commission support the Complaint Process Ordinance and Public Information Campaign Plan and Slogan.

MOTION to recommend CAC support of the Complaint Process/Ethics Evaluator Panel Ordinance and the Public Information Campaign Plan and Slogan and forward to the City Council for support.

M/S: Ranker, Abelardo

Ayes: 7

**d. Subcommittee/Task Force Status Reports.**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

This item was discussed earlier in the meeting.

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

Commissioner Lind stated the 50<sup>th</sup> year books will be sold at the Art and Wine Festival on August 21<sup>st</sup> and 22<sup>nd</sup>. Commissioners were asked to volunteer at the booth.

Ethics (Abelardo, Lind, and Ranker)

This item was discussed earlier in the meeting.

Tree Decorating Celebration (Pham, Robinson, Cook and Abelardo)

This item will be addressed in November.

**X.**

**Adjournment**

Chair Iloreta adjourned the meeting at 8:40 p.m. to the September 1, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
September 1, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Lee, Mandal, Mohsin, and Ranker  
Alternates present were Commissioners Fang, Lind, Luna, and Queenan  
Absent: Commissioner Pham

**II.  
Seating of  
Alternates**

Alternates seated: Luna and Lind

**III.  
Pledge of  
Allegiance**

Commissioner Cook led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted

M/S: Mohsin, Ranker

Ayes: 9

**V.  
Approval of  
Minutes**

Minutes of August 4, 2004 to be approved at the October 6, 2004 meeting.

**VI.  
Announcements**

Staff announced the resignation of Sam Robinson. Commissioner Luna will move up to a regular member. Commissioner Lind moves to Alternate 1, Commissioner Fang to Alternate 2, and Commissioner Queenan to Alternate 3 with Alternate 4 being a vacancy. National Night-Out was held on August 5<sup>th</sup> with 21 parties and over 1,000 in attendance. It was a great success. Commissioners Queenan, Mohsin, and Abelardo are the NBO Awards subcommittee for this year. Staff received 30 nominations for the Awards. There will be mandatory Ethics Code Training on October 7<sup>th</sup> and 20<sup>th</sup>. The Employee Service Awards luncheon is September 28<sup>th</sup>.

Chair Iloreto announced the Economics Forum for City Commissioners on September 13<sup>th</sup> at 6:00 pm in the Committee Meeting Room at Milpitas City Hall.

Councilmember Polanski announced the Memoriam for September 11<sup>th</sup> at 11:00 am at City Hall. The Great Mall is having a 10-year Anniversary celebration on September 25<sup>th</sup> from 12 – 5 pm.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

- a. City Council** Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The Arts Commission presented a proposal to the Council on art in public places, putting a percentage of fees from developers towards acquiring artwork. The City Council approved an Open Government Ordinance and approved a council handbook. An ordinance was brought to the Council's attention on human habitation in parked cars. A resolution will be presented to the County Board of Supervisors to make all fire stations throughout the county a place where abandoned babies can be brought.

**IX.  
New Business**

- a. Annual Employee Service Awards Luncheon on September 28, 2004.**

Staff stated that the Annual Employee Service Awards Luncheon would be held on September 28, 2004 at the Milpitas Sports Center at 11:30 a.m. The Commissioners volunteering to serve at the luncheon are: Commissioners Lee, Luna, Lind, Chair Iloreta and Vice-Chair Mohsin. Commissioners are to be at the Milpitas Sports Center by 11:00 a.m.

- b. Ethics Project.**

Staff stated that there would be an evaluator panel. The Council will review a contract for the evaluators on September 21, 2004. A new date for the campaign candidates forum has been set for Saturday, October 30, 2004 at 4:00 p.m. The Council requested a 60-day follow-up to evaluate their progress in achieving the goals they set for themselves. The session has been set for October 6<sup>th</sup>. A draft of an "Ethics First" guide has been reviewed by the Steering Committee on August 24<sup>th</sup>.

Commissioner Luna asked if the October 6<sup>th</sup> meeting would overlap with the CAC meeting. Staff stated that it was suggested that the CAC might want to attend the Council session and begin the CAC meeting later that evening.

Commissioner Mandal suggested attending the session for an hour and starting their meeting at 7:30 p.m. Councilmember Polanski suggested starting the CAC meeting at 6:30 p.m., call it to order, go to the session for the first hour, and resuming the CAC meeting at 7:30 p.m.

MOTON to start the CAC meeting at 6:30 p.m., attend the Ethics session for an hour and continue the CAC meeting thereafter.

M/S: Mandal, Mohsin

Ayes: 9

- c. Discussion of Commissioner's repeated absences and the Commission's options/prerogatives.**

Chair Iloreta stated he requested this item be on the agenda due to Commissioner Robinson's absences. He asked if a letter should be sent to Council. He later learned that Commissioner Robinson had turned in his resignation. Councilmember Polanski stated that as Council liaison she watches for continued absences of any of the Commissioners. Chair Iloreta would like the attendance sheet to include 2 years at a time.

- d. Youth Participation on the CAC:**

Staff stated that at the June 2<sup>nd</sup> meeting, the Commission requested that Chair Iloreta contact the chair of the Youth Advisory Commission (Coel Augustin) to discuss youth participation on the CAC. Chair Iloreta stated he spoke to Mr. Augustin and suggested they agendaize this topic at the next Youth Advisory meeting.

**e. Sign Ordinance Amendments.**

Staff stated they are proposing modifications to the Sign Ordinance, Zoning Ordinance and Neighborhood Beautification Ordinance. These modifications would include define terms that are currently undefined, address typical sign types not currently in the ordinance, clarify approval authority and process for signs, require administrative approval of Temporary Promotion Signs, speed up corrections to certain violations and add administrative citation authority to the Sign Ordinance. These modifications would make the ordinances better organized.

Staff stated the next step is to share the CAC's input with the Economic Development Commission on September 13, 2004. Staff will take the ordinance amendments to the Planning Commission on September 22, 2004 and to City Council consideration for adoption in October.

**f. Subcommittee/Task Force Status Reports.**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

Commissioner Queenan stated that a meeting was held with staff regarding street sweeping. Staff stated that they did research with other cities. Union City does street sweeping on one side of the street on Tuesdays and then sweeping the other side on Thursdays. Cost for this program is \$297+. Staff stated BFI does the street sweeping for the City of Milpitas. The City has a contract with BFI until January 31, 2005 with no cost for street sweeping to the City.

Commissioner Queenan stated that public education is very important. He suggested looking into video equipment for cost savings.

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

The subcommittee has not met lately.

Ethics (Abelardo, Lind, and Ranker)

This item was discussed earlier in the meeting.

Tree Decorating Celebration (Pham, Cook and Abelardo)

This item will be addressed in November.

**X.  
Adjournment**

Chair Iloreta adjourned the meeting at 9:05 p.m. to the October 6, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary



CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
October 6, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 6:30 p.m. Present were Commissioners Abelardo, Cook, Lee (6:40 pm), Luna, Mohsin, Pham, and Ranker (6:38 pm)  
Alternates present were Commissioners Fang (6:58 pm), Lind, and Queenan (6:50 pm)  
Absent: Commissioner Mandal

**II.  
Seating of  
Alternates**

Alternate seated: Lind

**III.  
Pledge of  
Allegiance**

Commissioner Pham led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted

M/S: Mohsin, Luna

Ayes: 7

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of August 4, 2004.

M/S: Mohsin, Abelardo

Ayes: 7

MOTION to approve the minutes of September 1, 2004

M/S: Abelardo, Mohsin

Ayes: 7

**VI.  
Announcements**

Staff requested the Commission to speak a little louder during the meetings, recorder does not pick up voices. Staff thanked Commissioners Lind, Luna, Lee, Mohsin, and Iloreto for serving at the Employee Service Awards Luncheon.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**a. City Council**

Councilmember Polanski was not present at the meeting due to the City Council Ethics training being held that same evening.

**IX.**  
**New Business**

**a. Neighborhood Beautification Appreciation – 5<sup>th</sup> Annual Awards Program.**

Staff stated they received 30 nominations by the August 31<sup>st</sup> deadline, which is the most they have received so far. Staff nominated (1) one Staff Choice Award and (5) five properties to ensure all categories were represented for a total of 36 nominations. The subcommittee toured the sites on September 15 and 20, 2004. All NBO residential winners will receive an award gift and declaration, and all nominees will receive a certificate of appreciation. The results will be posted on the City's website, cable TV and in the Milpitas Post. The awards will be distributed by the City Council at their meeting of November 16, 2004, with a break for refreshments and a celebration. All winners and honorable mentions were shown to the Commission. Staff recommends that the Commission approve the subcommittee and staff's NBO 2004 award recommendations.

Commissioner Lind asked if photos are sent in, do they get honorable mentions. Staff stated that when the nomination comes in, if a picture is not included, staff would go out and take the pictures of the homes nominated.

MOTION to approve the subcommittee and staff's recommendations for the 2004 NBO awards.

M/S: Lind, Luna

Ayes: 7

**b. Ethics Project.**

Staff stated an evaluator panel has been established and complaint form. The "Ethics First!" brochure, which was included in the October City newsletter, was mailed to all city residents. Staff has prepared a 1.5-minute public service announcement that will air on Channel 15 starting the week of October 4<sup>th</sup>. There will be a League of Women Voters final word candidate's forum on Saturday, October 30, 2004 at 4:00 p.m. There will be Ethnic training on October 7<sup>th</sup> and 20<sup>th</sup> for all Commissioners. To date, there is 80% attendance. At the November CAC meeting, details will be provided about the November 30<sup>th</sup> Post Election Assessment meeting that will replace this year's CAC Town Hall meeting.

**c. NBO, Zoning and Sign Ordinance Amendments.**

Staff stated that the Planning Commission directed staff to form a study group(s) to get feedback from the business community on the amendments before it went to City Council for approval. The City Council also agreed to this at their October 5<sup>th</sup> meeting. Two study groups were established, one to look into code enforcement and one to look at changes to the ordinances. Two CAC members are needed to participate in these 2 study groups.

Chair Iloreta suggested the Neighborhood Preservation subcommittee members be involved in these study groups.

Commissioner Queenan feels the subcommittee should be the participating group and be present to give input to the Planning Commission.

Staff also stated that it would probably take 4 to 6 weeks to go through the process. Staff asked if the Commission wanted to see the proposals again after the various groups had seen them. The CAC consensus was that they want to see the proposed code changes again. They also requested that staff inform them of the date and time of hearings on these issues.

A CAC member is needed to be in the code section and one member in the code enforcement section. Commissioner Pham feels the Neighborhood Preservation task force members should be in both study groups.

Commissioner Queenan asked who decides who will be on the study groups. Staff stated that the Board of Realtors wrote a letter to the Planning Commission saying too much was being proposed too soon. The Board of Realtors requested more time to be given in this process; they felt they were being left out of the process. Staff is looking for volunteers from various groups or Commissions.

MOTION to appoint Commissioners Queenan, Mohsin, and Lee to both study groups.

M/S: Queenan, Mohsin

Ayes: 6

**d. Subcommittee/Task Force Status Reports.**

Due to the City Council Ethics training the below listed items will be discussed at the November 3<sup>rd</sup> CAC meeting.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

Ethics (Abelardo, Lind, and Ranker)

Tree Decorating Celebration (Pham, Robinson, Cook and Abelardo)

**X.**

**Adjournment**

Chair Iloreta adjourned the meeting at 7:40 p.m. to the November 3, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
November 3, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Lee, Luna, Mandal, Mohsin, Pham, and Ranker  
Alternates present were Commissioners Fang, Lind, and Queenan

**II.  
Seating of  
Alternates**

Alternate seated: None

**III.  
Pledge of  
Allegiance**

Commissioner Cook led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted

M/S: Mohsin, Mandal

Ayes: 9

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of October 6, 2004.

M/S: Abelardo, Mohsin

Ayes: 9

**VI.  
Announcements**

There were no announcements.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**a. City Council**

Councilmember Polanski was not present at the meeting.

**IX.**  
**New Business**

**a. Future City Calendar Themes.**

Kathleen Yurchak from the Recreation Services Division stated that the 2005 calendar would be mailed to residents during the week of Thanksgiving. Traditionally staff has come to the CAC and asked for input on the calendar themes. It has become increasingly difficult to develop new themes. It is recommended that the future calendar themes become very general such as "City of Milpitas Community Calendar".

MOTION to support generalizing future City calendar themes and make recommendation to City Council.

M/S: Ranker, Mandal

Ayes: 9

**b. Commissioner's Recognition Event Questionnaire.**

Staff stated the Commission Recognition Committee has prepared a questionnaire to find out what the CAC would like for its annual recognition in order to prepare for next year's Commissioner's Recognition Event. When information is compiled from all the Commissions, staff will forward it to the City Council for final approval of the event.

**c. Ethics First! Project/Commissioner Recognition Questionnaire.**

Staff stated the 2005 Commissioner's Recognition event would also include some method to recognize exemplary Commissioner behavior consistent with the City's new Ethics Code. The Commission Recognition Committee has prepared a questionnaire to solicit ideas on how to add this new element to the event.

**d. CAC Tree Decorating and Tree Lighting in the Plaza.**

Sam Tiimalu from the Recreation Services Division stated that the tree-decorating event is scheduled for Wednesday, December 1, 2004 at 7:00 pm at City Hall. He stated that there are a total of 10 trees that will be available for sponsorship. Staff asked if the CAC would be interested again this year to decorate a tree free of charge. Commissioner Pham volunteered to decorate the tree.

**e. November 30<sup>th</sup> Post Election Assessment Town Hall Meeting.**

Staff stated the Post Election Town Hall Meeting is scheduled for November 30, 2004 at 7:00 pm in the Council Chambers. This has replaced the annual Town Hall Meeting. The meeting will be televised and people can participate in person or call in. Two advertisements have been prepared for the Milpitas Post. Comments can be emailed or mailed in to City Hall. It was suggested that the CAC Chair and Ethics Consultant would be at the podium. The chair did feel the consultant should lead the meeting. Staff would screen calls.

Commissioner Lind stated she believes there will be a lot criticism of the ethics panel and ethics process. She feels Dr. Shanks should respond to the process because from the comments that have been made it has all been negative about the ethics process. The tone has changed from when the ethics project first came up.

Commissioner Mandal felt calls should not be screened. Consensus was reached that calls should not be screened since it is no different that the "Public Audience" portion of Council meetings. Staff added that at their November 18<sup>th</sup> meeting, the Steering Committee will finish planning the details of the Town Hall meeting.

**f. Ethics Project Update.**

Staff mentioned that training is complete except for the final Council session, which may not occur on November 17<sup>th</sup> depending on the election results. It was noted that 52 of the City's 127 Commissioners did not attend the training. Consensus was reached that another session should be held in January since it is important as Commissioners complete the training. All the public information campaign pieces have been completed. Staff mentioned that the Evaluators Panel had been trained and protocols developed. To date, six complaints have been received – 3 have been rejected, 2 accepted and one is under review. The "Final Word" forum was held on October 30<sup>th</sup>. All candidates attended and the televised focus by the facilitator from the League of Women Voters was on PAC'S and particular campaign flyers. Work has begun on the lobbyist registry ordinance for Council consideration in December.

Commissioner Lind, as one of the complainants for one of the submitted ethics complaints shared her experience with going through the hearing process. Commissioners Lind, Ranker, and Abelardo jointly filed the complaint as Ethics Steering Committee members to preserve the integrity of the ethics program. After much discussion, a motion was made to support their colleagues' effort to bring the matter to light.

M/S: Mandal, Mohsin

Ayes: 9

**g. Sign, NBO and Zoning Code Amendments Related to Code Enforcement Program.**

Staff noted that two task forces have formed as approved by Council to get more input on the proposed amendments: a Sign Code Task Force and a Code Enforcement Task Force. The former has met twice and will continue to meet and the latter has met twice and has completed its review. Two community meetings have been requested by the Sign Code Task Force to get even more input. Staff has scheduled these so they will be completed by the end of November to prevent further slip of the schedule.

**h. Subcommittee/Task Force Status Reports**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

Commissioner Queenan summarized the subcommittee's recent progress including a meeting with key City staff to discuss BFI's street sweeping and a possible pilot program. Commissioner Queenan expressed frustration with getting support for this idea. Staff explained the timing difficulty given BFI's contract was going to Council in a few weeks for renewal and any additional costs were not realistic to request of BFI. Staff discussed the recent efforts being taken in the Planning and Neighborhood Services Department to streamline processing of code enforcement customer service requests which has resulted in a significant increase in cases closed, but that they are encountering resistance with the Sign Code Task Force to embrace administrative citation authority and pro-active enforcement. The CAC requested staff apprise them of future meetings so representative Queenan can attend and publicly support the code amendments. Staff also mentioned that the issue of garage conversions is still expected by Council to come back to them. It was suggested that the subcommittee needed to hold a few neighborhood meetings to see if any neighborhoods share this concern and that of street parking to get support and more ideas for solutions to bring to Council.

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

No report was given.

Ethics (Abelardo, Lind, and Ranker)  
Report was given with project update earlier on agenda.

Tree Decorating Celebration (Pham, Cook and Abelardo)  
Under tree decorating item earlier on agenda, this year's participation was discussed.

**X.**  
**Adjournment**                      Chair Iloreta adjourned the meeting at 9:30 p.m. to the December 2, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
December 2, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Mandal, Mohsin, and Pham  
Alternates present were Commissioners Fang, Lind, and Queenan  
Absent: Commissioners Abelardo, Cook, Lee, Luna, and Ranker

**II.  
Seating of  
Alternates**

Alternates seated: Fang, Lind, and Queenan

**III.  
Pledge of  
Allegiance**

Commissioner Mohsin led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted with the correction on page 3 under Ethics Project Update, date should be 1/31/05 not 1/31/04.

M/S: Mandal, Lind

Ayes: 7

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of November 3, 2004 with the correction on page 3 regarding the 50<sup>th</sup> Anniversary, the time capsule was discussed.

M/S: Mohsin, Mandal

Ayes: 7

**VI.  
Announcements**

Staff stated that they are in the process of updating the Zoning Ordinance. There will be a Planning Commission hearing on the ordinance on Wednesday, December 8<sup>th</sup> at 7:00 pm.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**a. City Council**

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She thanked the Commission for all their hard work and efforts the past year. She announced that this would be her last meeting as Council Liaison. At the December 7<sup>th</sup> Council meeting, the Mayor will appoint the new Council members and Commissioners. Commissioner Mandal thanked Councilmember Polanski for being a great liaison to the Commission and that she is very well appreciated by the whole Commission.



**IX.**  
**New Business**

**a. CAC 2005 Work Plan.**

Staff provided a list of the current 2004 work plan for the CAC as follows:

Annual Recurring Tasks

1. Heritage tree nominations (January, May, October)
2. CDBG public hearing process (March)
3. Participate in Arbor Day – NBO booth and Tree City USA designation (April), Global Village, and 4<sup>th</sup> of July parade (July)
4. National Night Out (August)
5. Thank You Activity/Recognition for City Staff. Participate yearly in preparation for the annual employee service awards celebration (September)
6. Neighborhood Beautification Awards (September)
7. Review City Calendar theme and layout (October)
8. Tree trimming (November)
9. Holiday Social (December meeting with invitation to all Commissioners)
10. Work session for annual work plan (December)

Short-term Goals/Projects (prioritized)

1. Tree Planting – Complete a heritage tree ordinance (in progress) and promote tree planting through outreach and tree protection awareness
2. Ethics First Program – Review final report and make recommendations to the City Council for long term Code and Training – Monitor consultant project progress and provide input (in progress)
3. Neighborhood Preservation/Street Sweeping – Assess whether neighborhoods are overcrowded and recommend strategies to preserve neighborhoods (in progress)
4. Town Hall Meeting – Review to determine whether to continue hosting this Fall event
5. Associations Meeting – Develop an outreach program to neighborhood associations to obtain feedback on community issues

Long-term Goals/Projects (prioritized)

1. Youth involvement in Government – Develop a process to get youth involved in local government, possible initiating a youth representative on the CAC

Chair Illoreta suggested adding houses that the Commissioners see while viewing the homes for the NBO awards.

Commissioner Queenan suggested having a diversity night out sponsored by the City. Commissioner Lind stated that is the point of Global Village and maybe expanding on that event. Commissioner Queenan stated that this would have the same format as the National Night Out where the community would get to know their neighbors and have a potluck. Councilmember Polanski felt this would be a nice way to bring the neighbors together.

Commissioner Queenan asked about the Associations meeting. He thought that was the same of the Town Hall meeting. Councilmember Polanski stated that it was more intended for the Home Owners Associations, mobile home park associations where you would actually go to those association meetings to see what kind of concerns they would have and bring back to the Commission.

Councilmember Polanski thought that the City Calendar theme was going to be omitted from the work plan. Commissioner Lind stated that the Commission still wanted to review the layout of the calendar.

Chair Iloreta asked about the Holiday Social – December meeting with invitation to all Commissioners. The Commission decided to omit this from the work plan.

Staff stated that they still have to finish the Heritage Tree Ordinance. This would probably be picked up in the spring. This item is still in progress.

Staff stated Dr. Shanks would report on the Ethics program to the CAC in February for recommendation to City Council. In that recommendation, the CAC would either recommend to expand the program or end the program.

Chair Iloreta feels that if the homeowner associations meeting are held there is no need to have a town hall meeting. Commissioner Queenan felt there should be a town hall meeting. Commissioner Mandal felt that it is hard to get members to attend the homeowner association meetings. Commissioner Lind suggested leaving both the town hall meeting and the associations meeting on the work plan.

Chair Iloreta stated that the Youth Advisory Commission has not met since August. Councilmember Polanski stated there is a big turn over in the YAC but that they are very active. Councilmember Polanski asked the Commission what is their objective in having youth involvement in government. She stated that there is a lot of ways through the school district and the YAC that shows how a youth can get involved. Commissioner Queenan suggested omitting this item from the work plan.

Based on the foregoing discussion, the proposed 2005 CAC Work Plan is as follows:

Annual Recurring Tasks

1. Heritage tree nominations (May, October)
2. CDBG public hearing process (March)
3. Participate in Arbor Day – NBO booth and a Tree City USA designation (April), Global Village, and 4<sup>th</sup> of July parade (July)
4. National Night Out (August)
5. Thank You Activity/Recognition for City Staff. Participate yearly in preparation for the annual employee service awards celebration.
6. Neighborhood Beautification Awards (Sept)
7. Review City Calendar Layout (October)
8. Tree trimming (November)
9. Work session for annual work plan (December)

Short-term Goals/Projects (prioritized)

1. Tree Planting – Complete a heritage tree ordinance (in progress) and promote tree planting through outreach and tree protection awareness
2. Ethics First Program- Review final report and make recommendations to the City Council for long term Code and Training – Monitor consultant project progress and provide input (in progress)
3. Neighborhood Preservation/Street Sweeping – Assess whether neighborhoods are overcrowded and recommend strategies to preserve neighborhoods (in progress)
4. Town Hall Meeting – Review to determine whether to continue hosting this Fall event
5. Associations Meeting – Develop an outreach program to neighborhood associations to obtain feedback on community issues

MOTION to approve the proposed prioritized work plan above to be forwarded to City Council for approval.

M/S: Lind, Mandal

Ayes: 7

**b. Ethics Project Update.**

Staff gave a brief update on this project.

Training – The last Council training scheduled for November 17, 2004 was cancelled due to the election results. Staff will poll the Council members once the swearing in occurs to find out if there is interest in holding a final training.

Public Information Campaign – The items that were part of the contract have been completed.

Evaluators Panel and Complaint Process – The protocol will be adopted at the special meeting on December 8, 2004. There have been 6 ethics complaints filed so far. Three were rejected, two have been heard and the hearing on the last one has been delayed until after the Thanksgiving holiday.

Post Election Assessment Meeting/CAC Town Hall – There were 6 CAC members at the meeting with about 30 in the audience. Staff felt the meeting went well.

Lobbyist Registry Ordinance – The ordinance has been drafted, the City Attorney is reviewing it. It will go to the Steering Committee on December 9, 2004 for review. The City Council will have its first reading at the December 21, 2004 Council meeting.

Remaining Deliverables – There are several deliverables remaining. An instruction guide for building a culture of recognition; this is related to the Commissioner's Recognition survey that was completed at the last CAC meeting. In addition, a document providing tips on how to communicate ethics, a lobbyist manual, forms for soliciting community partners, and a final report are yet to be prepared.

COGEL Conference – Staff was invited to be a panelist at the 2004 national COGEL (Council on Governmental Ethics Laws) conference.

**c. Sign, NBO and Zoning Code Amendments Related to Code Enforcement Program.**

Staff stated that draft revisions of these codes have been prepared based on two Code Enforcement Task Force and five Sign Code Task Force meetings. There will be a final meeting on December 3, 2004 to discuss prohibited signs and whether to add administrative citation authority to the Sign Ordinance. The revised ordinances will be heard by the Planning Commission at its December 8, 2004 meeting and by the City Council at its December 21, 2004 meeting.

**d. Subcommittee/Task Force Status Reports.**

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)  
No update at this time.

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)  
The next meeting will be held on January 17, 2005.

Ethics (Abelardo, Lind, and Ranker)  
Report was given with project update earlier on agenda.

Tree Decorating Celebration (Pham, Cook and Abelardo)  
Commissioner Pham stated it was a nice turn out with great weather.

**X.**

**Adjournment**

Chair Iloreta adjourned the meeting at 8:30 p.m. to the January 5, 2005 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary

CITY OF MILPITAS  
SPECIAL MEETING  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
February 18, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Lee, Luna, Mohsin, and Ranker  
Absent: Commissioners Abelardo, Cook, Pham, and Mandal  
Absent Alternates: Fang, Lind and Queenan

**II.  
Seating of  
Alternates**

Alternate seated: No alternates were present to be seated.

**III.  
Pledge of  
Allegiance**

Commissioner Lee led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

Commissioner Luna moved to postpone the standing agenda items and item #X.B to the next regular CAC meeting March 3, 2004.

M/S: Luna, Lee

Ayes: 5

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of January 7, 2004.

Commissioner Luna moved to postpone approval of the minutes of February 4, 2004 to the next regular CAC meeting. (It was noted the above reference to January 7 was in error.)

M/S: Luna, Ranker

Ayes: 5

**VI.  
Announcements**

There were no announcements made.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda, however no one in the audience addressed the Commission.

**VIII.  
Liaison Reports**

Under approval of the agenda, this standing item was postponed to the next regular CAC meeting March 3, 2004.

**IX.**

**Old Business**

None

**X.**

**New Business**

- A. Ethics Project Group Stakeholder Interviews of Citizens Advisory Commission (CAC), Chairs of all City of Milpitas Boards and Commissions, and interested members of the public:** Dr. Thomas Shanks, City of Milpitas Ethics Consultant and city staff.

Tambri Heyden requested that everyone in the room state their name and the organization/Commission they are affiliated with. See Attachment "A", the meeting sign-in sheet. Ms. Heyden then gave a brief presentation on the history of the ethics project explaining that it was originally a CAC Annual Work Plan item from last year's plan. After studying the issue of campaign ethics, the CAC made a recommendation to the Council in September 2003 to hire a consultant to prepare an ethics code and provide training for campaign conduct. She noted that the Council agreed and directed staff to hire a consultant but expanded the scope to include elected and appointed officials and senior management staff. Ms. Heyden stated that the project involves several tasks including stakeholder interviews, which are nearly completed, and preparation of an ethics awareness survey that will provide the framework for ethics code and value statement workshops. Election campaign training will then occur to be completed well before the November 2004 election. Subsequently, training for elected and appointed officials and senior staff will take place. A post-election assessment meeting will follow with a final report to be prepared at the end of the project in January 2005.

Ms. Heyden explained the purpose of this meeting was to serve as a group stakeholder interview of the CAC, Commission Chairs and interested members of the public. Ms. Heyden then introduced Dr. Shanks of Santa Clara University, the city's ethics consultant.

After describing his professional background and experience as an ethics consultant and professor, Dr. Shanks requested that anyone who had not yet completed the Red Light Green Light exercise and the Personal Values exercise, to please do so. He expressed how impressed he was with Milpitas taking on this effort not only for campaign ethics, but also expanding it to include elected and appointed officials and management staff. After a question and answer session about the project in general, he explained the meeting goals and ground rules. Using a PowerPoint presentation provided an introduction to "values" and ethics" language and described the ethics code development process. Dr. Shanks then facilitated a discussion of stories of Milpitas "at its best" from the CAC and the audience. Examples of "at our best" values raised during this brainstorm session were recorded on flip chart paper and hung on the meeting room walls after which all participants were asked to rank the values listed by selecting their top 3. The results of this parting exercise are located in Attachment "B".

**XI.**

**Adjournment**

After concluding questions and answers, Chair Iloreta adjourned the meeting at 9:10 p.m. to the March 3, 2004 meeting.

Respectfully submitted,

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Tambri Heyden, Recording Secretary

CITY OF MILPITAS  
SPECIAL MEETING  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
March 31, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreta called the meeting to order at 7:20 p.m. Present were  
Commissioners Abelardo, Cook, Iloreta, Lee, Mandal, Mohsin, Pham, and Ranker  
Absent: Commissioners Robinson  
Absent Alternates: None

**II.  
Seating of  
Alternates**

Alternate seated: Danny Fang was seated.

**III.  
Pledge of  
Allegiance**

Commissioner Pham led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

Commissioner Mohsin noted that the agenda contained an error under item X.D -  
Mayor's Term Length and should be changed to Ethics Steering Committee to match the  
caption.

MOTION to approve the Agenda as amended.

M/S: Mohsin, Mandal

Ayes: 9

**V.  
Approval of  
Minutes**

Commissioner Lind mentioned that on page 3 where her name is mentioned that the  
paragraph doesn't capture what she said and that her reason for not funding some  
agencies was because their absence didn't allow them to answer her questions that she  
had. She also stated that on page 6, her whole discussion (which she led) is missing  
about the problem with the proposed ordinance using the phrase "covered parking  
spaces" without a definition, could allow carports or tents that are unsightly and should  
could not support this term without adding a definition that meant enclosed parking  
spaces via a garage. So this needs to be added.

MOTION to approve the minutes of March 3, 2004 as amended.

M/S: Lind, Pham

Ayes: 9

**VI.  
Announcements**

There were no announcements made.

**VII.  
Citizens' Forum**

Chair Iloreta invited members of the audience to address the Commission on any item not  
on the agenda. Isaac Hughes spoke about his opinion that the ethics code process was a  
"sham" and that he had knowledge of many examples of past unethical behaviors and  
acts that had been committed. Mr. Hughes also expressed his displeasure with the

meeting not be televised and held in the Council Chambers and being limited in the amount of time he could speak since there was not an official timekeeper.

## **VIII.**

### **Liaison Reports**

Under approval of the agenda, this standing item was postponed to the next regular CAC meeting April 7, 2004.

## **IX.**

### **Old Business**

None

## **X.**

### **New Business**

#### **A. Ethics Project Code Preparation Workshop:** Dr. Thomas Shanks, City of Milpitas Ethics Consultant and city staff

Tambri Heyden, ethics code project manager, introduced Dr. Thomas Shanks, the City's ethics consultant and Associate Professor of Communication at Santa Clara University and a Scholar at the University's Markkula Center for Applied Ethics. Ms. Heyden also introduced Dr. Phillip Riley, Associate Professor of Religious Studies at Santa Clara University for 25 years. Ms. Heyden turned the meeting over to Dr. Shanks to facilitate the workshop with the assistance of Dr. Riley.

Dr. Shanks started his presentation by discussing the steps to developing a code, at the same time sharing some of the issues; such as the need for accountability that he has heard from the 40+ stakeholder interviews he conducted to date. He then explained the deliverables that will come out of the first workshop: a) consensus on a near-final set of essential core values and b) a draft of core behaviors and character traits for each. The group reviewed the workshop ground rules, sent out to attendees in advance of the meeting, for understanding.

Dr. Shanks then gave a presentation of the ratings of core values from the results of the citizen survey sent to a random group of households that was completed by 187 respondents over the past two weeks. After reviewing this set of 25 core values that were posted on the meeting, Dr. Shanks asked the workshop participants if they felt there were any values missing from the list. This exercise led to the identification and posting of an additional 31 values for a total of 56, as noted in attachment A. Participants were then asked to individually vote for four of their top values, using adhesive dots, that they felt were most important to be included in the City of Milpitas' ethics code. Each participant was supplied with 2 green dots, one red dot, one yellow dot and 2 green dots. Red signified most important, yellow signified the next most important value and green signified the next most important value (being less important than red and yellow). The results of that exercise are compiled in attachment A.

Upon reconvening the group, Dr. Shanks pointed out examples of how certain values posted were similar to others and might be combined as the group moves into workshop #2 on April 7, 2004. Dr. Shanks proceeded to explain that at workshop #2, standards of conduct for the top 8 values will be prepared through workgroups. Dr. Shanks asked whether anyone wished to work on a particular value. Given that there was no preference, work groups were not identified and will be randomly assigned at the start of the next workshop. Within the packet given to all participants at the beginning of the meeting was a handout called, "Values as Standards of Conduct". Since honesty was one of the top 8 values identified in the preceding exercise, participants were asked to individually think of and note of the handout, examples of behaviors that did and did not exemplify the value "honesty". The "testing the core values: real world examples" exercise was postponed to workshop #2. Prior to ending the ethics workshop, participants were reminded to turn in the registration form providing contact information and to submit their "Values as Standards of Conduct" worksheet, which will be used in workshop #2.

**XI.  
Subcommittee/  
Task Force  
Staff Report**

Under approval of the agenda, this standing item was postponed to the next regular CAC meeting on April 7<sup>th</sup>.

**XII.  
Mayors Term  
Length Committee**

Chair Iloreta reported that he must resign as Chair of this particular Committee and a replacement must be discussed.

Commissioners discussed membership on the Committee. Commissioner Lee volunteered to be the new lead for the Committee. Clarification was obtained about the Committee's need to present their recommendation to the full CAC on April 22<sup>nd</sup>, rather than on April 7<sup>th</sup>.

MOTION to appoint Syed Mohsin to the Mayors Term Length Committee.

M/S: Mandal, Ranker

9 ayes

**XIII.  
Ethics Steering  
Committee**

Chair Iloreta reported that he must resign as Chair of this particular Committee and a replacement must be discussed

Ms. Heyden explained the time commitment and meeting schedule.

MOTION to appoint Commissioner Jenifer Lind to the Ethics Steering Committee.

M/S Mohsin, Mandal

9 ayes

**XIV.  
Adjournment**

Chair Iloreta announced that the next meeting will be April 7<sup>th</sup> and requested that it start early at 6:45 to cover the standing items, prior to the 7:00 start time of ethics workshop #2. Consensus was reached to start at 6:45 on April 7<sup>th</sup>. Chair Iloreta adjourned the meeting at 9:15 p.m. to the April 7<sup>th</sup> meeting.

Respectfully submitted,

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Tambri Heyden, Recording Secretary



CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
April 22, 2004

**I.  
Call to Order  
and Roll Call**

Chair Illoreta called the meeting to order at 6:45 p.m. A quorum of Commissioners Cook, Mohsin, Ranker, and alternate Queenan were present.  
Commissioner Lee arrived at 7:01 p.m.  
Alternates present: Queenan  
Absent: Commissioners Abelardo, and Robinson  
Absent Alternates: Fang, Lind, and Luna

**II.  
Seating of  
Alternates**

Alternates seated: Michael Queenan was seated to form a quorum.

**III.  
Pledge of  
Allegiance**

Chair Illoreta led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Cook, Ranker

Ayes: 5

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of April 7, 2004.

Commissioner Mohsin requested that the minutes reflect he was present, not absent.

M/S: Mohsin, Cook

Ayes: 5

**VI.  
Announcements**

Tambri Heyden, Acting Director of Planning and Neighborhood Services, reported that the Global Village event is part of the Commission's Work Plan. The event is scheduled for May 1<sup>st</sup> from 11:00 a.m. to 4:00 p.m. She reminded Commissioners of the e-mail recently sent out which requested a total of four CAC volunteers for the event. Commissioners Cook and Mohsin volunteered.

Ms. Heyden announced that another item on the Commission's Work Plan is National Neighborhood Night Out. The City Clerk had asked if the CAC would be recommending a date for this event to take place. Councilmember Polanski stated last year, CAC suggested another date for the Milpitas event because National Neighborhood Night Out always occurs on the same night in August as the City Council meetings. Ms. Heyden asked the Commissioners to begin thinking about a date and their level of participation in this upcoming event.

**VII.  
Citizens' Forum**

Chair Illoreta invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

## **VIII. Liaison Reports**

- A. City Council** Under approval of the Agenda, the standing item was postponed to the next regular CAC meeting May 5, 2004.

## **IX. New Business**

### **a. Ethics Code Preparation Workshop #3**

Ms. Heyden reported that this is the third of four workshops being held to prepare a draft ethics code for City Council review in May and adoption in June. She recognized the various groups represented which included Council Member Polanski, commissioners, senior staff, and the general public. She thanked everyone who had attended previous workshops and welcomed newcomers (see attached attendance sheet). Ms. Heyden then introduced Dr. Shanks, the city's ethics consultant and Dr. Philip Riley, also hired by the city to assist with the code preparation workshops. Dr. Shanks thanked staff for the work they have done thus far to keep this project moving. He then requested that participants introduce themselves to one another.

Dr. Shanks informed the group of how the evening would proceed. Results from Workshop #2 held on 4/7/04 are to be reviewed and tonight's participants would then work to refine the descriptions. Participants will review what the values really look like, what the core behaviors are and traits for each of the six values. They then would draft some of the representative behaviors. The work completed to date has begun to provide the descriptions of what the code will look like for those whom the code is being written. The group includes elected and appointed officials, city management, department heads, and candidates for public office. Dr. Shanks explained that a real world ethical test case would be given to each of the six work groups and participants would be requested to see what the value designated for their workgroup would say about this test case and how to resolve it. At the end of the workshop, the groups would present to each other the descriptions written, and would be asked if there is consensus that they could live with each one of these values and the descriptions, before the project moves into the final workshop on May 5<sup>th</sup>.

The workshop began with a warm-up/ice breaker exercise wherein participants were asked a series of ethics-related questions.

Before breaking into 6 work groups, Dr. Shanks reminded participants that, while working on the task at hand, the question to ask is: "when we are at our best in our treatment of citizens and each other, what are the characteristics; what are the character traits that we display?" "What are our values when we are at our best?" Dr. Shanks reviewed the single page handout that included all six values, values in the cluster, and descriptions, which are the most current information after the 2 previous workshops and the Citizen's Survey. The six values are: honesty, respect, fairness, accountability, collaboration, and stewardship. Participants took a few minutes to review the current information to see if it is the best description of what the group can come up with.

In response to a question regarding the two values Fiscal Responsibility and Vision, Dr. Shanks reported that at the last workshop, the group agreed that vision is not something that could be required of everyone; but that it should be a characteristic of the organization. Therefore, the consensus at workshop #2 was to combine former value #7 Fiscal Responsibility, and former value #8 Vision, with current value #6, Stewardship.

Participants broke into 6 work groups, to begin the task as described above by Dr. Shanks. Dr. Shanks requested that those who participated in the last workshop choose a different value to work on this evening.

Upon reconvening the group, a representative from each group was asked to present their group's work for the benefit of all participants (see attached final worksheets from each group.) The work group for value #5, Collaboration, explained why they changed the cluster name to Teamwork.

The general consensus was that the 6 core values, which were edited tonight, are the ones the City of Milpitas should go forward with. Dr. Shanks asked if anyone disagreed or had any comments. Two persons did not totally agree; one person felt that vision is very important and another spoke about the importance of nurturing people, the greatest resource. One of the Stewardship work group members indicated that the concern about nurturing people is addressed in the description of Stewardship.

Dr. Shanks concluded the workshop with a preview of the work to be done at the next workshop to be held on May 5, 2004. He referred to a document in this evening's packet, which is the adopted, voluntary, California State Code of Fair Campaign Practices. This voluntary code is given to candidates for state office and it is up to the individual whether they sign it or not.

A homework assignment was mentioned and is in the form of a question that will be discussed and resolved at the last public workshop on May 5<sup>th</sup>. The question is: "Is the code which we have been writing specific enough for candidates?" Dr. Shanks indicated there are two choices on how to proceed. 1) Adopt the sample in this evening's packet or 2) take our newly developed code and specify what each of those items look like and what it does not look like during campaigns.

Dr. Shanks thanked participants for a successful workshop.

**b. Subcommittee/Task Force Status Reports 9:00 p.m.**

Subcommittee members confirmed there were no reports to be given.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Robinson)

Mayor's Term Length (Lee, Mandal, Mohsin and Pham)

50<sup>th</sup> Year Anniversary (Mohsin, Mandal and Lind)

Ethics (Abelardo, Lind, Ranker, and Robinson)

Tree Ordinance/Heritage Tree Program (Iloreta, Lee and Cook)

Tree Decorating Celebration (Abelardo, Cook, Pham, Robinson)

**XI.  
Adjournment**

MOTION to adjourn the meeting at 9:05 p.m. to the May 5, 2004 meeting that will begin at 6:45 p.m.

M/S: Ranker, Abelardo

Ayes: 5

Respectfully submitted,

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CITY OF MILPITAS  
COMMUNITY ADVISORY COMMISSION  
MILPITAS CITY HALL FINANCE CONFERENCE ROOM  
APPROVED MINUTES  
May 17, 2004

**I.  
Call to Order  
and Roll Call**

Chair Iloreto called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook (7:03 pm), Pham, Mohsin, and Ranker (7:03 pm) Alternates present were Commissioners Fang, Lind, and Luna Absent: Commissioners Lee, Mandal, Queenan, and Robinson

**II.  
Seating of  
Alternates**

Alternates seated: Luna, Lind, and Fang

**III.  
Pledge of  
Allegiance**

Commissioner Pham led the Pledge of Allegiance.

**IV.  
Approval of  
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Lind, Abelardo

Ayes: 7

**V.  
Approval of  
Minutes**

MOTION to approve the minutes of May 5, 2004.

M/S: Lind, Luna

Ayes: 7

**VI.  
Announcements**

There were no announcements.

**VII.  
Citizens' Forum**

Chair Iloreto invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.  
Liaison Reports**

**A. City Council**

Under approval of the agenda, the standing item was postponed to the next regular CAC meeting of June 2, 2004.

**IX.  
Old Business**

There was no old business.

**X.**  
**New Business**

**a. Draft Ethics Code, Behavior Standards and Implementation Plan.**

Staff stated that the draft Code of Ethics and Behaviors Standards were reviewed at the last Code Preparation workshop. Since then the steering committee, with the assistance of the consultant, has made some revisions and fine-tuning of the Code and the Implementation Plan. The Behavioral Standards have been refined since they were reviewed at the last code preparation workshop however the steering committee has not viewed the changes that the consultant has made. All three documents are going forward in the form of a resolution to the City Council for adoption on June 1, 2004. There is a change on item # 7 of the implementation measures of the Implementation Plan which is that the consultant is recommending that lobbyists are required to disclose any kind of relationships they have had related to campaign lobbying efforts.

Staff reviewed the implementation measures for the Commission. They are:

1. When possible, conducting moments of reflection at the end of Council, Commission and staff meetings assessing how well the code was practiced at the meeting.
2. Publicly recognizing at the annual Board and Commission dinner those who have been extraordinary role models of the code's values.
3. Holding a campaign candidates workshop on how to conduct a political campaign consistent with the code.
4. Conducting a post-election assessment session in December/January to evaluate how well code promises were kept with CAC sponsored sessions after all future elections that would precede an ethics code and ethics program evaluation and updating process.
5. Seeking partners who can also hold candidates accountable.
6. Discouraging use of the County Ethics Foundation.
7. Securing an "ad watch" program sponsor or sponsor of web space for candidates to respond to opponent's claims made within the last few days of the election.
8. Producing a public information program to educate voters on how to determine whether a candidate is ethical.
9. Requiring candidate disclosure of all their lobbyists to whom they've paid \$500 or more to communicate with city officials to influence city legislation or decisions.
10. Considering programs related to campaign funding.
11. Instituting a process for complaints that would be adjudicated by a paid, team of ethics evaluators with the authority to take the appropriate action as per codified sanctions.
12. Requiring all Council members to attend a two-session ethics workshop series.
13. Requiring all senior management staff to attend a two-session ethics workshops series.
14. Requiring all boards and commissioners to attend a one-session ethics workshop series.

Vice-Chair Mohsin asked if items 12-14 were tailored to all the different groups. Staff stated that they were.

Regarding measure #5, Commissioner Ranker asked who would seek out partners. Staff stated that it is not yet decided, but educating the public could encourage groups and explain how they could influence accountability such as with endorsements.

Regarding measure #11, Commissioner Abelardo asked if the 3 paid evaluators will be on retainers. Staff stated that they probably would be so they could be available year round.

Regarding measure, #1, Chair Iloreto asked if there would be a form or checklist to use at the end of meetings. Staff stated that the level of detail to design how each measure would be implemented would be up to each board and commission to decide how appropriate to do it.

Staff reviewed the changes to the code of ethics and noted that a signature line was added at the bottom of the page. After boards and commissioners, senior staff and Council members and candidates go through the training; they would be given the code and be required to sign it at the bottom. The form would be kept on file. Vice-Chair Mohsin asked how long the form is in effect. Staff stated that it is for the length of time in office or until changes are made in the code. Vice-Chair Mohsin asked how changes are tracked. Staff stated that this code is adopted by resolution. Resolutions and amendments to them are numbered.

Commissioner Ranker stated that under "Respect" the word "myself" should be deleted in both the Code and the Behavioral Standards.

Chair Iloreto asked if there would be a steering committee meeting on May 20, 2004. Staff stated that there would be a meeting to review the behaviors only.

Commissioner Lind had a question on Stewardship on the behaviors section regarding the wording, "protect the public trust". After discussion, consensus was reached to using "uphold the public trust".

MOTION to approve the draft Ethics Code and Implementation Plan as amended to be forwarded to City Council for adoption and the Behavioral Standards, subject to minor changes by the Steering Committee and consultant..

M/S: Lind, Pham

Ayes: 7

**b. Subcommittee/Task Force Status Reports 9:00 p.m.**

Under approval of the Agenda, the standing item was postponed to the next regular CAC meeting of June 2, 2004.

**XI.**

**Adjournment**

Chair Iloreto adjourned the meeting at 7:40 pm to the June 2, 2004 meeting.

Respectfully submitted,

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Yvonne Andrade, Recording Secretary